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WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO. 98-50036-01

VERSUS

JUDGE DONALD E. WALTER

ROBERT W. CLARK, JR.

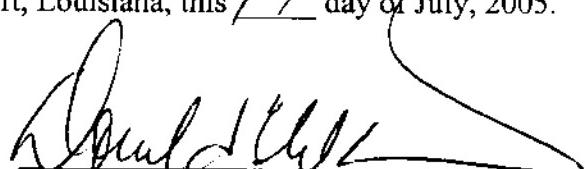
MAGISTRATE JUDGE HORNSBY

O R D E R

Before this Court is a Motion to Review and Correct a Federal Sentence in Violation of Law Under Title 18 U.S.C. § 3741 & Title 18 U.S.C. § 3742 [Doc. # 416] filed by defendant, Robert W. Clark, Jr., wherein defendant relies on United States v. Booker, 125 S.Ct. 738 (2005).

The United States Supreme Court, in Booker, supra, held that Blakely v. Washington, 124 S.Ct. 2531 (2004), applies to the Sentencing Guidelines. However, the Booker Court also determined that their holding would apply to “all cases on direct review.” Booker, supra at 769. As this matter is no longer on direct review, **IT IS ORDERED** that defendant’s Motion to Review and Correct a Federal Sentence [Doc. # 416] be and is hereby **DENIED**.

THUS DONE AND SIGNED in Shreveport, Louisiana, this 17 day of July, 2005.


DONALD E. WALTER
UNITED STATES DISTRICT JUDGE